

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CRYSTALLEX INTERNATIONAL CORP.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 1:17-mc-00151-LPS
)	
BOLIVARIAN REPUBLIC OF VENEZUELA,)	
)	
Defendant.)	
)	
_____)	

**CITGO PETROLEUM CORPORATION AND PDV HOLDING, INC.’S
RESPONSE TO RED TREE INVESTMENTS LLC’S MOTION
FOR AN ORDER ENTERING A DISCOVERY SCHEDULE**

CITGO Petroleum Corporation and PDV Holding, Inc. (the “CITGO Parties”) generally support Red Tree Investments LLC (“Red Tree”)’s Motion for an Order Entering a Discovery Schedule but write to make one clarification and one objection to the proposed schedule.¹

First, the CITGO Parties have served three sets of Requests for Production on the Special Master (October 16, 2024; March 25, 2025; May 8, 2025) and one set each on Red Tree and the 2020 Bondholders (May 8, 2025). The CITGO Parties served these requests well in advance of the Special Master’s deadline to make a Final Recommendation, and well in advance of the deadlines in Red Tree’s proposed schedule, in keeping with the Court’s orders urging the parties to undertake discovery as soon as possible. D.I. 1517 ¶ 19; D.I. 1554 at 3–4. As noted in the preface to Red Tree’s proposed schedule (D.I. 1756-1), the Red Tree schedule does not supersede the Court’s

¹ CITGO further submits this response with the understanding that the dates in Red Tree’s proposed schedule may be adjusted to reflect any change in the existing sale process schedule made as a result of the Court’s initial extension of the topping period to June 2, 2025, D.I. 1769, and the Special Master’s assent to a further 21-day extension of the topping period, *see* D.I. 1770 at 2, as proposed in the Venezuela Parties’ Motion for an Extension of the Topping Period (D.I. 1757).

prior orders regarding discovery nor excuse the parties from whom the CITGO Parties have sought discovery from responding as quickly as possible. The Red Tree schedule applies principally to discovery requests made after, and in response to, the Final Recommendation. The June 20, 2025 deadline to complete productions in response to previously-served discovery requests must be understood as a backstop only – *i.e.*, it does not entitle parties from whom the CITGO Parties have sought discovery to delay responses until June 20 if their productions can be made sooner. With that understanding, and subject to the objection described below, the CITGO Parties do not oppose Red Tree’s schedule.

Second, and relatedly, footnote 1 to Red Tree’s proposal says that June 20 is a “targeted” deadline with respect to the Special Master. D.I. 1756-1 at 3, n. 1. The CITGO Parties believe this should be a firm deadline. The principal requests this issue relates to are the CITGO Parties’ requests to the Special Master seeking his communications with bidders and evaluation of bids. Those documents will be generated throughout the topping period and until the Special Master makes his Final Recommendation on June 11. To avoid prejudice to the CITGO Parties in responding to the Final Recommendation, this production needs to happen very soon after June 11, given the July 22 hearing date. The Special Master’s production of topping period bidder communications and bid evaluation documents should begin immediately after June 11 and be completed *on or before* June 20. The CITGO Parties understand the demands this places on the Special Master’s counsel, but to receive the Special Master’s document production any later would prejudice the CITGO Parties in preparing for the hearing. Therefore, the June 20 deadline in Red Tree’s proposed schedule must be a firm deadline for the Special Master, not merely a “targeted” one.

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